

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
LPTV, TV Translator, and FM Broadcast)	MB Docket No. 18-214
Station Reimbursement)	
)	GN Docket No. 12-268
Expanding the Economic and Innovation)	
Opportunities of Spectrum Through Incentive)	
Auctions)	

To: The Commission

COMMENTS ON NOTICE OF PROPOSED RULEMAKING

Mohave County Board of Supervisors (the “County”), by its counsel, hereby submits its Comments on the Notice of Proposed Rulemaking (“Notice”) in the above-captioned matter.

Implementation of the Reimbursement Expansion Act (“REA”) is vital to ensure that the television service provided by TV translators, especially in rural and remote areas, is preserved notwithstanding the re-packing of the TV band. In this regard, these Comments underscore the importance of providing reimbursement for costs associated with modifying terrestrial microwave facilities essential for the continued delivery of distant, full-service television programming provided by the referenced translators. In support, the County submits the following.

Introduction

Mohave County is located in western Arizona. It is one of the largest counties in the United States with a land area of over 13,400 square miles, and includes the Grand Canyon. It is also one of the most sparsely populated with only 200,186 residents according to the 2010 Census. The County is high desert terrain with small, remote communities. Many of its

residents are retirees on fixed incomes who depend on the County's network of 48 translators for their only source of free, over-the-air television, as well as emergency alert information.

The County has operated TV translators for this purpose since the early 1970s. Its network operates on a 24 hour per day, seven day per week basis, and has so for years. The translators are used to bring in distant signals from Phoenix and Las Vegas, which are over 190 and 100 miles, respectively, from Kingman, the County seat. There is only one full-service station in the County, that being KMOH-TV licensed to Kingman.

Discussion

As a result of displacement pursuant to the incentive auction and the Commission's earlier reductions in UHF channels -- this being the third such reduction -- eighteen (18) of the County's translator stations require new channels.¹ Call signs for these translators, applications for which were filed in the Special Displacement Window, are listed in the attachment. Most of these stations have received a displacement channel construction permit.² As the County's consulting engineer, Robert DuTreil, Jr. notes, "System reconfiguration is not a trivial task as new channels need to be compatible with the channels not subject to displacement and with channels assigned to other television stations in the region." Attachment.

At two of the County's translator reception points, Oatman and Goat Hill, the over-the-air signal is received directly from the primary distribution point for the County's translators, known as Hayden Peak. As Mr. DuTreil also notes:

"The Oatman and Goat Hill translators are not subject to displacement and, in order to avoid interference to other County translators, it is necessary that the Oatman and Goat Hill translators continue to re-broadcast on the same, or an adjacent, channel being fed

¹ Initially, the television band extended up to and including Channel 83; as a result of the several re-packings, available channels now end at 36.

² For the reasons stated herein, the County's translators satisfy the eligibility criteria set forth in the REA. See *id.* at paras. 28-32.

from Hayden Peak. At the same time, co-channel and, in most cases, adjacent-channels, cannot be used for both reception and transmission. Thus, the County's existing microwave relays, modified for the new channels, would be used to feed the translators at Oatman and Goat Hill to avoid the mutual interference problem.”

The microwave facilities in question are existing (call signs WPOQ863, and -864; WPOQ882 and -884), but will need to be modified to conform to the two new channels required to feed the translators at Oatman and Goat Hill.

The equipment for the new channels is made by Vislink/MRC microwave. The rest of the County network uses that same equipment, thus facilitating maintenance and repair when issues arise. Based on updated information from the vendor, the cost for the modification will total approximately \$45,000. While translators and their relays are secondary, the Commission previously has allowed reimbursement for County microwave relays -- and now also proposes to do for LPFM stations notwithstanding the fact that such stations are not mentioned in the REA and are also secondary. *Second Memorandum Opinion and Order* in WT Docket No. 02-55, FCC 07-102, 22 FCC Rcd 10467 (2007), at para. 63 (microwave relays); *and* Notice at para. 51 (LPFMs).

The REA prescribes that costs “reasonably incurred” in order for a television translator to “relocate its television service from one channel to another or otherwise modify its facility ...,” are reimbursable. 47 U.S.C. Section 1452(k)(1). Moreover, the Commission has stated that: “It is essential that we [ensure the continuity of broadcast auxiliary facilities (BAS)], because BAS is a critical part of the broadcasting system by which emergency information and entertainment content is provided to the American public.” *800 MHz Report and Order* in WT Docket No. 02-55, FCC 04-168, 19 FCC Rcd 14969 (2004) at para. 250. The costs incurred in modifying the County’s broadcast auxiliary relays are clearly “reasonable[e]” in order for the

County to maintain “its television service” for the residents served by the Oatman and Goat Hill translators.

Conclusion

Reimbursement for the County’s microwave relays will preserve television service for the remote, sparsely populated communities in the County given the latest re-packing of the UHF band. Accordingly, for the reasons stated herein, the Commission should allow reimbursement.

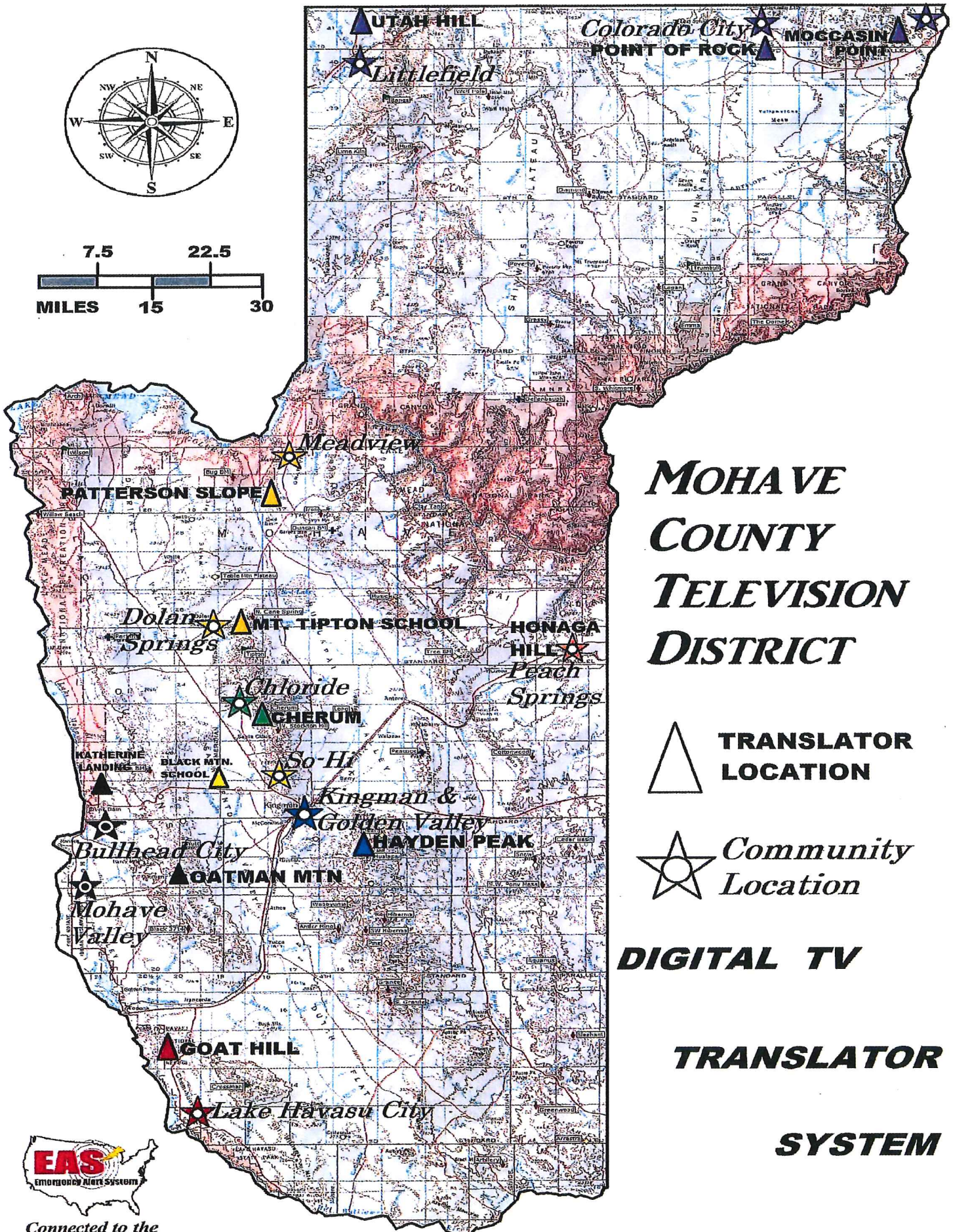
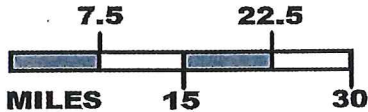
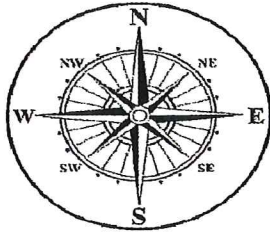
Respectfully submitted,



William K. Keane

Its Counsel

September 25, 2018



MOHAVE COUNTY TELEVISION DISTRICT



**TRANSLATOR
LOCATION**



***Community
Location***

DIGITAL TV

TRANSLATOR

SYSTEM



Connected to the

OVERVIEW OF DISPLACEMENT CHANNEL PLANNING FOR MOHAVE COUNTY TRANSLATOR SYSTEM

Due to the FCC's Incentive Auction and the re-allocation of UHF Television Channels 38-51, it was necessary for the Mohave County translator system to be reconfigured. Eighteen (18) UHF translators in the system are out-of-core; displacement channels are required for each of them. Such a system reconfiguration is not a trivial task as new channels need to be compatible with the channels not subject to displacement and with channels assigned to other television stations in the region.

The attached map shows an overview of the Mohave County translator system with all of its receive points and transmission and re-transmission points. The displaced channels are located at a number of these transmission point locations.

As indicated on the attached map, Smith Peak is the primary off-air TV station receive point for the Mohave County system. The off-air channels are then relayed via microwave to the Hayden Peak transmission point.

The Hayden Peak transmission point is the primary distribution point for the other translators in the Mohave County system, in addition to being a translator transmission point itself for viewers in the Kingman, AZ area. Five translator stations at Hayden Peak are out-of-core. For these stations a detailed search was conducted of all possible channel options.

After a thorough search, it was ultimately determined that Channels 10, 18, 29, 33 and 35 were the only channels available for the Hayden Peak out-of-core translator stations that would also avoid interference conflicts with off-air reception points within the system to the greatest extent possible. Applications were filed for these displacement channels at the Hayden Peak (Kingman) location.

However, due to the limited frequency spectrum available within the new core band of television channels, there remain inter-system interference concerns at two particular translator reception locations. These are the Oatman and Goat Hill relay locations, which receive their over-the-air signal directly from the Hayden translator station. The Oatman and Goat Hill translators are not subject to displacement and, in order to avoid interference to other County translators, it is necessary that the Oatman and Goat Hill translators continue to re-broadcast on the same, or an adjacent, channel being fed from Hayden Peak. At the same time, co-channel and, in most cases, adjacent-channels, cannot be used for both reception and transmission. Thus, the County's existing microwave relays, modified for the new channels, would be used to feed the translators at Oatman and Goat Hill to avoid the mutual interference problem.

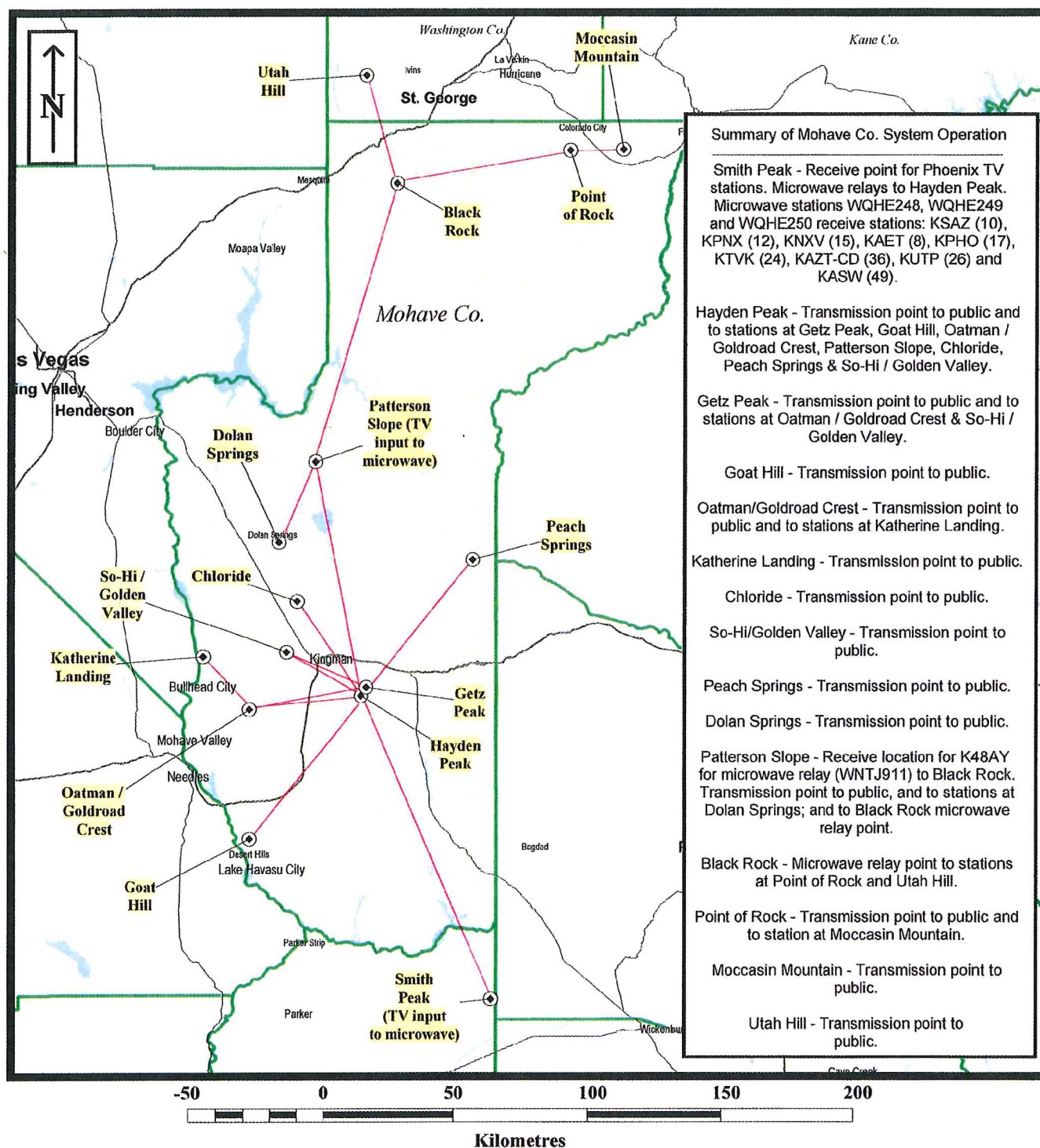
In conclusion, there are insufficient, practical options to accommodate this additional displacement. This necessitates use of the proposed microwave relay facilities.



Robert DuTreil, Jr., PE

Dated: 24 July 2018

Figure 1



OVERVIEW OF MOHAVE COUNTY TRANSLATOR SERVICE SYSTEM

duTreil, Lundin & Rackley, Inc. Sarasota, Florida

Mohave County Displacement Application

comm_city	comm_state	fac_callsign	File No	tv_dom_status	facility_id	application_id
CHLORIDE	AZ	K42CQ-	0000053719	CP	43375	2015738
DOLAN SPRINGS	AZ	K43GU-	0000053730	CP	43392	2015741
TOPOCK	AZ	K42EU-	0000053718	APP	43397	2015746
KINGMAN	AZ	K50CY-	0000040081	CP	43386	2008753
PEACH SPRINGS	AZ	K42CP-	0000053720	CP	43404	2015745
KINGMAN	AZ	K49GE-	0000040080	CP	43379	2008752
LAKE HAVASU CITY	AZ	K46GI-	0000053723	APP	43413	2015742
GOLDEN VALLEY	AZ	K45CG-	0000053729	CP	43395	2015727
MEADVIEW	AZ	K38GR-	0000053722	CP	43384	2015743
KINGMAN	AZ	K41FT-	0000040077	CP	43401	2008750
CHLORIDE	AZ	K49EU-	0000053732	CP	43416	2015739
LAKE HAVASU CITY	AZ	K39FV-	0000053726	APP	43402	2015730

KINGMAN	AZ	K44DK-	0000053728	APP	43415	2015728
LAKE HAVASU CITY	AZ	K43GJ-	0000053725	APP	43398	2015731
MEADVIEW	AZ	K47HE-	0000053721	CP	43389	2015744
DOLAN SPRINGS	AZ	K41BZ-	0000053731	CP	43419	2015740
LAKE HAVASU CITY	AZ	K38IR-	0000053727	APP	43371	2015729
KINGMAN	AZ	K48AY-	0000040079	CP	43383	2008751